

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 5**

CNN AMERICA, INC. AND TEAM VIDEO SERVICES, LLC,
JOINT EMPLOYERS

and

Case No. 5-CA-31828

NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES &
TECHNICIANS, COMMUNICATIONS WORKERS OF AMERICA,
LOCAL 31, AFL-CIO

and

CNN AMERICA, INC. AND TEAM VIDEO SERVICES, LLC,
JOINT EMPLOYERS

and

Case No. 5-CA-33125
(formerly 2-CA-36129)

NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES &
TECHNICIANS, COMMUNICATIONS WORKERS OF AMERICA,
LOCAL 11, AFL-CIO

**COUNSEL FOR THE GENERAL COUNSEL'S REQUEST FOR
RECONSIDERATION OF THE PARTIAL EXTENSION OF TIME
GRANTED TO FILE AN ANSWERING BRIEF TO RESPONDENT'S
EXCEPTIONS, AND FOR CLARIFICATION REGARDING GENERAL
COUNSEL'S REQUEST FOR LEAVE TO FILE APPENDICES
SUMMARIZING EVIDENCE**

On March 3, 2009, Associate Executive Secretary Henry S. Breiteneicher granted in part the request of Counsel for the General Counsel ("General Counsel") for an extension of page limitations and filing deadlines for cross-exceptions, a brief in support thereof, and a brief answering Respondent CNN America, Inc.'s ("CNN's") Exceptions. General Counsel hereby respectfully requests reconsideration and clarification regarding this determination.

1. The General Counsel requests reconsideration of the April 24, 2009 deadline set forth in the determination. Especially in a case such as this, in which the ALJ found for General Counsel on many points of fact and law, General Counsel is charged with submitting an answering brief equivalent in scope and depth to CNN's Exceptions. Further intensifying General Counsel's responsibility to answer CNN's exceptions is the need to evaluate the merits of CNN's vexatious list of 1,633 exceptions covering 337 pages. General Counsel therefore requests that we be provided the same amount of time to answer CNN's exceptions as CNN had to except to the ALJ's decision, *i.e.*, three months. This fixes the deadline for GC's answering brief for May 18, 2009.

General Counsel also notes that CNN has on March 4, 2009, made a request to the Executive Secretary's office to file its brief answering General Counsel's cross-exceptions by a deadline and within a page limit equal to that given General Counsel for its cross-exceptions. General Counsel does not oppose this request based on the principle that General Counsel be given the equivalent page limit and time to prepare General Counsel's answering brief to CNN's Exceptions. The Executive Secretary's office has granted the equivalent page limit (absent clarification on appendices, as discussed below), but has given General Counsel three weeks less to prepare our answering brief than was given CNN for its Exceptions.

2. The General Counsel also requests clarification regarding our request to attach appendices to General Counsel's brief supporting cross-exceptions and answering brief. General Counsel intends that the appendices condense, in single-spaced table format, the large amount of data and information (*e.g.*, interview comments and interview scores) contained in the dozens of volumes of hiring and personnel records entered into the record. Thus, the tables will serve well the reader of the record upon reviewing that evidence.

Furthermore, the tables will not be argument, but rather evidentiary summaries. General Counsel respectfully submits that the addition of appendices are fair and reasonable in light of CNN's onerous Exceptions, in which the string cites represent -- *literally* -- thousands upon thousands of citations to the record evidence.

The General Counsel would also not object to CNN being given equal opportunity to submit appendices to its reply brief.

Charging Parties Local 11 and Local 31 join General Counsel's foregoing requests.

Dated: March 6, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allen M. Rose", with a long horizontal flourish extending to the right.

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DATE OF MAILING 03/06/2009

AFFIDAVIT OF SERVICE OF Counsel For The General Counsel Request For Reconsideration Of the Partial Extension Of Time Granted To File An Answering Brief To Respondent's Exceptions, And For Clarification Regarding General Counsel's Request For Leave To File Appendices Summarizing Evidence
I, the undersigned employee of the National Labor Relations Board, certify that on the date indicated above I served the above-entitled document(s) by post-paid **Regular** mail upon the following persons, addressed to them at the following addresses:

via eFiling

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SHOWING A DATE OF MAILING 03/06/2009

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